

Appl. No. : 09/761,532
Filed : January 16, 2001

REMARKS

In response to the Office Action mailed June 1, 2005, Applicant has amended the application as above. No new matter is added by the amendments as discussed below. Applicant respectfully requests the entry of the amendments and reconsideration of the application in view of the amendments and the remarks set forth below.

Discussion of Claim Amendments

Claims 1 and 6 have been amended.

Discussion of Specification Objections

The Examiner objected to the specification because of some informalities. In reply, the corresponding portions of the specification have been amended as suggested by the Examiner.

Rejection of Claim under 35 U.S.C. § 112, ¶ 1

The Examiner has rejected Claims 1-10 under 35 U.S.C. § 112, first paragraph. In the Office Action, the Examiner and Applicant's Attorney agreed that the proposed amendments would overcome these rejections. Thus, Applicant respectfully requests withdrawal of the above-rejections.

Rejection of Claims Under 35 U.S.C. §§ 102(b) and 103(a)

The Examiner has rejected Claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,040,168 to Maue, et al. (hereinafter "Maue"). Claims 6-9 were rejected as being obvious in view of Maue and Ieda. Claim 10 was rejected as being unpatentable over Ieda in view of Rogers. Applicant respectfully traverses the Examiner's claim rejections as discussed below.

"For a prior art reference to anticipate a claim under 35 U.S.C. § 102, every element of the claimed invention must be identically shown in a single reference." *Diversitech Corp. v. Century Steps, Inc.*, 850 F.ed 675, 677, 7 USPQ 2d 1315, 1317 (Fed. Cir. 1988). Furthermore, to establish a prima facie case of obviousness it must be shown that the prior art teaches or suggests

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each every limitation. Applicant respectfully submits that the cited prior art fails to teach or suggest at least one limitation from each of the above-listed claims.

Applicant has amended the claims to recite that reflector comprises a seat cushion frame and that the emitter is configured to transmit a signal directly to an underside of seat cushion frame. Applicant respectfully submits that this distinguishes from the cited art which fails to describe this feature. In Maue, the emitter does not and cannot transmit a signal *directly* to the underside of the seat cushion frame. Furthermore, this feature is not taught or suggested by Ieda. In view that the cite prior art fails to teach or suggest at least the above-limitations, Applicant respectfully submits that all pending claims are now in condition for allowance.

CONCLUSION

In view of Applicant's amendments to the application and the foregoing remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Respectfully submitted,

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